

on hotels outside of New York taken up out of order.

"On behalf of the Senator of the Twenty-eighth (Brackets) I'll have to object," said Senator Raines.

"Then, all I have to say is that the Senator from the Twenty-eighth is a cross between a cross and a crank," retorted Senator Coughlin. "Before he assumed office of this chamber this morning he told me he had no objection to my bill."

Senator Raines withdrew his objections and the bill was passed. They Senators Raines, Page and Gladly reached an agreement that four hours debate should be had on the Revenue Tax bill and that the vote should be taken at 3 P. M. After lunch the Senate adjourned after one of the most notable parliamentary struggles in its history.

The debate on the bill was with special interest and the Senators, being worn out, intensely followed events. Many amendments were offered, but they were all defeated. When the bill was placed on its final passage, Senator Raines voted against it. Messrs. Aldrich, Armstrong, Cassidy, Corlies, Fancher, Gates, Hinson, Lewis, Raines, Smith and Tully. The absentees were Senators Mallory and Quinn.

The debate in the Assembly was brief, and to the end lost in reaching a vote, which resulted in its final passage. The bill now goes to the Governor.

PASSING LOCAL OPTION BILL.

Vote in the Assembly, 81 to 69. Its Fate in the Senate Doubtful.

ALBANY, May 2.—Although the Assembly, by a vote of 81 to 69, today passed Assemblyman Wainwright's bill for local option in residential districts, it is only the unusual will permit of the bill passing the Senate tomorrow. A test vote taken in that house upon the receipt of the Wainwright bill there this afternoon indicates that there are enough votes to pass the bill, if it can be reached.

Senator Tully gave notice that at some future day he will move to suspend the rules to pass the bill out of its committee. But whether he will reach the order of business to permit of making the motion is extremely doubtful.

Last year the Assembly passed the local option bill and it died in the Senate. When the bill was handed down by the Senate clerk today Senator Tully moved that it be referred to the committee of the whole, instead of to the committee on Taxation and Revenue. This motion was carried by a party vote of 33 to 12, Senator Saxe voting with the Democrats against advancing the bill. The Senate will not go into the committee of the whole against this session and therefore the outlook for the bill is extremely doubtful.

The minority members of the Assembly did their utmost to prevent the bill from reaching the Senate today. Realizing that there were enough votes in the Assembly to pass the bill they played for delay as much as they possibly could. In this they were ably assisted by Assemblymen Schoonover and Cox (Republicans).

There were many amusing incidents in connection with the consideration of the bill. On one side of the Assembly chamber, outside of the railing, were the representatives of the Anti-Saloon League, which had been lobbying all winter for the bill. On the other side of the chamber were the brewers and their representatives, who have not been at all idle in trying to kill the bill.

Bitter and passionate speeches were made. The ministers who had worked in the interests of the bill were attacked as lobbyists and scored as having done most reprehensible things. Assemblyman Cox said he had been intimidated by the ministers of his district in Buffalo.

Assemblyman Hooker tartly answered Mr. Cox and said that he also had been intimidated, but the intimidation came from the liquor interests, who were not to be classed with men of the cloth.

While he was speaking Assemblyman Wade had handed him a telegram addressed to Assemblyman Cox and signed by the pastor of St. Paul's church, in which the minister said that 300 voters in his congregation were with the men who supported the Tully-Wainwright bill.

Assemblyman Wade most bitter in denouncing the tactics that had prevailed in support of the bill. He implored Assemblyman Cox to have the minister indicted by the District Attorney of Erie county for sending such a telegram.

"And that minister's son is on the floor of this chamber now working for the bill," said Mr. Wade.

The minority members were most disorderly. They were under the leadership of Assemblyman La Feta to-day. Assemblyman G. H. Palmer said that he had been in court, but while the vote was being taken on the bill he was in the Capitol restaurant. The Democrats used all of the obstructive tactics they could think of to delay the passage of the bill. The Speaker's gavel was kept banging away on the block, repeatedly interrupting, yelling and, in fact, anything in order to interrupt the proceedings were resorted to, so that the Assembly chamber the greater part of the day resembled a Donnybrook fair more than a legislative body.

These Republicans voted with the Democrats against the final passage of the bill: Brennan, Cogan, Cox, Donohue, Dryer, Filley, Gates, Gregory, Hartman, Hoffman, Krulewitch, Maher, S. J. Palmer, Rock, Hinson, Schoneck, Springer, Stiffens, Storey, Surpless and Tully. All of the Democrats and Ownership members also opposed the bill.

Assemblymen Oglesby and Burnett were the only Democrats to vote with the Republicans for the bill.

PARTY HONOR AT STAKE.

Gov. Higgins's Regret for the Failure to Pass Savings Bank Tax Repeat Bill.

ALBANY, May 2.—Gov. Higgins was asked today if he had any anxiety to make in regard to the failure to pass the bill repealing the tax on the surplus of savings banks.

"In answering your question," said the Governor, "I will say that I have debated in my mind very seriously as to whether I should send in a fourth message in support of the position that I have taken."

"Three times, in the strongest language I could command, I have recommended the repeal of that tax, and it has seemed to me that to send in a fourth message would appear ridiculous, especially when it is recalled that the men composing the legislative bodies have for practical purposes remained the same. I take it that the action of the Senate last week virtually killed the repeal bill, and I do not see how it can legally be brought before that house again in the same shape, and I especially regret it because I have considered that both should have been repealed, and I made during my campaign for Governor."

"Senators Raines and Mallory have taken the position, that the tax should never be repealed," said the Governor.

"Technically, they are correct," said the Governor, "in so far as the plank in the platform of the State party is concerned; but in my letter of acceptance and in my speeches I took a direct position favorable to such repeal, and it has seemed to me a matter of honor that I should do whatever I could to carry out my pledges."

Central May Discontinue University Heights and Fordham Heights Stations.

ALBANY, May 2.—The State Board of Railroad Commissioners has consented to the discontinuance by the New York Central Railroad of the platform station at University Heights and the station at Fordham Heights, New York city. These stations are permitted to be discontinued in view of the action of the new station at East 18th street. The University Heights station may be discontinued at once, but the other station may not be discontinued until the new station is in operation.

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KELSEY SUCCEEDS HENDRICKS.

STATE COMPTROLLER TO BE INSURANCE SUPERINTENDENT.

Wayward S. Clement appointed State Excise Commissioner to succeed Patrick W. Cullinan—Timothy M. Griffin to be County Judge of Suffolk County.

ALBANY, May 2.—Gov. Higgins sent to the Senate today the nomination of State Comptroller Otto Kelley of Genesee, Livingston county, to be State Superintendent of Insurance, succeeding Francis Hendricks.

The Governor also sent to the Senate the nomination of Deputy Excise Commissioner Wayward S. Clement of Canandaigua to be State Excise Commissioner, succeeding Patrick W. Cullinan of Oswego, whose term has expired.

The Governor also nominated Timothy M. Griffin of Riverhead to be County Judge of Suffolk County, and reappointed Charles J. King of Kingston as a member of the State Water Board.

All these nominations were confirmed by the Senate.

The State Superintendent of Insurance is appointed for a term of three years and he receives a salary of \$7,000. The State Excise Commissioner is appointed for a term of three years and his salary is \$5,000.

The Governor has the appointment of a State Comptroller to succeed Mr. Kelsey.

The new Superintendent of Insurance, Mr. Kelley, first entered public life in 1883, when he was elected a member of the Assembly from Livingston county, and he served as a member of that body until the session of 1902. Mr. Kelley was one of the most popular members of the lower house, as well as one of the ablest. He was chairman of the Finance Committee for four years. When Samuel Frederick Nixon was first elected Speaker, in 1896, he was ill the greater part of the session, and Mr. Kelley served as acting Speaker in a manner that won for him many friends. In 1902 Mr. Kelley took the nomination of County Judge of Livingston county, and although his popularity was great he met his first defeat in politics.

In January, 1903, he was appointed Deputy State Comptroller, succeeding Theodore T. Gillman. Comptroller Nathan Miller was appointed a Supreme Court Justice that year, and Mr. Kelley was named as Comptroller. He was nominated for the office by the Republican State convention in 1904, and his administration of the financial affairs of the State has won for him much favorable comment.

Shortly after the names of his appointees had been sent to the Senate Gov. Higgins was interviewed.

"I do not know any man since I have been in public life," said the Governor, "who has been more successful in his public life than has Otto Kelley. He has been Governor and in a position to know of the undercurrents given candidates for office who has had the endorsement that have been given to Mayor S. J. Palmer for State Excise Commissioner. His endorsements were not confined to one party or to representatives of one religious belief, but were representative of the best people of the State, including bishops, priests and deacons, and others who were men not to be classed with men of the cloth."

The Governor may name as Comptroller, to succeed Mr. Kelley's term, the present first deputy, William C. Wilson, the leader of the 27th district Republican organization in New York city.

Grandfather's Clock to Cullinan; Loving Cup to Hendricks.

ALBANY, May 2.—The employees of the State Excise Department today presented Commissioner P. W. Cullinan, who retires from office, with a handsome mahogany grandfather's clock. The employees of the State Insurance Department presented Senator Francis Hendricks with a costly silver loving cup.

MORE SUPREME COURT JUDGES.

Bills Passed Increasing the Number by 21 and the State Salary List by \$375,000.

ALBANY, May 2.—By the passage in the Assembly of several Senate bills to-night the number of Supreme Court Justices in this State will be increased twenty-one and the State salary list will be increased \$375,000 a year if Gov. Higgins signs the bills. Some time ago the Legislature passed Senator Brackett's bill providing for eight additional Justices, the first district, seven in the Second and three in the new Ninth district.

To-night the Assembly passed Senator Brackett's bill providing for an extra Justice in the Fourth district; Senator Cassidy's, for one in the Seventh district, and Senator White's, giving the Fifth district another Justice, but defeated Senator Davis's bill providing for two additional Justices in the Eighth district. It was first decided that Buffalo should have one of the Justices in the Eighth district and the other counties of the district the other, but when the bill was passed in the Senate it was found that Buffalo intended to take both Justices. Senator Stevens then introduced a bill, which passed the Senate, providing for three additional Justices in that district.

The Rules Committee refused to report the Stevens bill and the opposition of other Republicans from the western part of the State defeated the Davis bill.

Eight More Legislative Agents Registered.

ALBANY, May 2.—Eight additional legislative agents registered to-day. The following are the names and the interests they represent:

Samuel J. Barrows, for the Prison Association of New York State; Homer Folks, for the State Charities Aid Association; Mrs. M. L. Bradshaw, for the Street Cleaners' Union of New York city; John M. Harrington, B. E. V. McCarthy and J. G. Baldwin, Jr., to protect private claims resulting from change of street grade in New York city; Frank Chase, for the Firemen's Association of the State of New York; and James Cowden Meyer, for the American Real Estate Company.

NEW INSURANCE BILL PASSED.

IT EXTENDS THE TIME FOR THE ELECTION OF DIRECTORS.

The Reorganization Bill and All the Good Points Thereof Passed Through Both Houses. The Metcalf Theatre Bill Was Killed in the Senate, 22 to 19.

ALBANY, May 2.—At the suggestion of Gov. Higgins and Senator Armstrong the Senate and Assembly, under emergency message from the Governor, passed another insurance bill introduced by Senator Armstrong today. It amends the first insurance bill passed and signed by the Governor in regard to the time for the election of trustees of the mutual life insurance companies. Under the original bill the election of trustees was to take place on November 15. The Mutual Life Insurance Company contended that it would be a physical impossibility to get out a list of its policyholders by the time required, and the Senate long bill provided that the election of trustees of the mutual life insurance companies could take place on December 15 next, instead of on November 15, so as to give the companies ten instead of six weeks in which to get out their lists.

All good roads legislation has been disposed of by the Legislature. The West good roads bill, which was greatly desired by the rural Republican members, and which it was feared would be defeated by reason of Senator Raines trying to legislate, passed the Senate today. The Assembly passed the Senate committee good roads bill, which contains the appropriation of \$500,000 for use this year.

The reorganization bill has been passed by both houses. Today the Senate bill was received in the Assembly, and when it came up for final passage Assemblyman Dowling had it amended so as to correct a mistake in regard to Timothy L. Woodruff's Assembly district in Brooklyn. Under an emergency message from the Governor the bill was passed in the Senate, and was then sent to the Senate, where the amendment was concurred in.

The Metcalf theatre bill, to compel the New York city theatre to admit 1000 persons killed in the Senate, 22 votes in opposition to 19 in favor being cast.

Both houses passed Senator Stevens's savings bank loan investment bill, which continues as legal investments bonds of a railroad company acquired by a holding company. The bill is made necessary by the sale of the Chicago and Alton Railroad Company to a holding company.

Under an emergency message from Gov. Higgins the Senate passed the Brackett bill amending the penal code as an amendment to the corrupt practices bill.

The Senate, by recommending it, killed the bill introduced by Senator Elsie, which is opposed by the New York city school teachers and which aims to give the New York City Board of Estimate and Apportionment exclusive power to fix the salaries of all city and county employees.

The Senate passed these bills:

Senator Tully's, prohibiting a druggist from selling narcotic or patent drugs except upon a prescription of a physician.

Assemblyman Stevens's, empowering the Governor to appoint commissions to provide methods to prevent the pollution of the Bronx River and the Great Neck.

Assemblyman Stevens's, prohibiting discrimination in furnishing freight cars by railroad companies.

By tacking on four unimportant amendments, which were designated for the sole purpose of killing it, Senator Stevens's bill to prohibit narcotics in patent medicines will die in the Assembly.

The Assembly held a session to-night in order to dispose of the Senate bills so that adjournment can be had to-morrow morning at 12 o'clock, as provided for in the final adjournment resolution. These bills were passed:

Senate committee bill authorizing an appropriation of \$500,000 with which to purchase additional lands for the State forest preserve.

Senator Stevens's, providing for a commission to investigate the conduct of the blind of this State and to report on the expediency of establishing a State industrial training school for them.

Senator Hill's, resuming the \$500,000 for the erection of a monument to William McKinley in Buffalo.

Senator Stevens's, providing for a commission to investigate the conduct of the blind of this State and to report on the expediency of establishing a State industrial training school for them.

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